

TOWN BOARD MEETING
 WEDNESDAY, DECEMBER 7, 2011; 7:00 P.M.
 NEW WINDSOR TOWN HALL
 NEW WINDSOR, NEW YORK

BOARD MEMBERS PRESENT: Supervisor Green, Councilwoman Mullarkey, Councilwoman Weyant, Councilwoman Biasotti, Councilman Lundstrom

OTHER OFFICIALS PRESENT: Comptroller Finnegan, Police Lieutenant Farbent, Town Attorney Blythe, Highway Superintendent Fayon

SALUTE TO FLAG

Supervisor Green called to order the Town Board meeting and presided over same.

#1 On Agenda: Motion – Approve Minutes

Motion by Councilwoman Mullarkey, seconded by Councilwoman Weyant that the Town Board of the Town of New Windsor approve the minutes of the public hearings on the 2012 Budget and an amendment to Chapter 280 Vehicle & Traffic Local Law and minutes of the Town Board meeting all held on November 2, 2011 as per the copies posted on the Town Clerk's bulletin board in Town Hall, and same distributed to each of the Town Board members.

Roll Call: All Ayes

Motion Carried: 5-0

UNFINISHED BUSINESS

HIGHWAY DEPARTMENT

WATER DEPARTMENT

SANITATION DEPARTMENT

GENERAL

#2 On Agenda: Motion – Rescind Motion #4, November 2, 2011 Town Board Meeting Agenda

Motion by Councilwoman Biasotti, seconded by Councilman Lundstrom that the Town Board of the Town of New Windsor rescind Motion #4 of the November 2, 2011 Town Board Meeting entitled "Authorize Levying of Unpaid Water/Sewer/Garbage Charges."

Roll Call: All Ayes

Motion Carried: 5-0

#3 On Agenda: Motion – Authorize Levying Unpaid Water/Sewer/Garbage Charges

Motion by Councilwoman Weyant, seconded by Councilwoman Mullarkey that the Town Board of the Town of New Windsor adopt the following Resolution:

WHEREAS, the Supervisor of the Town of New Windsor on November 2, 2011 transmitted to this Board a statement of unpaid water, sewer and Beaver Dam Garbage charges filed with the Town Clerk on November 2, 2011 containing a brief description of the property on which water, sewer and Beaver Dam Garbage charges are unpaid, and the names of persons or corporation liable to pay the same, and the amount chargeable to each;

NOW BE IT RESOLVED, that there be levied on the 2012 Tax Roll of the Town of New Windsor against the properties set forth in said statement, and the unpaid water, sewer and Beaver Dam Garbage charges so transmitted to the Board, and that the amount thereof be set forth as Unpaid Utilities on the 2012 Tax Roll for a total of \$654,767.87;

BE IT FURTHER RESOLVED, that the amount so levied shall be placed in the warrant of the County Legislature issued to the Tax Receiver of said Town in the same manner as general taxes are levied and collected, and shall be like lien as general taxes until the amount thereof is paid.

Roll Call: All Ayes

Motion Carried: 5-0

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#4 On Agenda: Motion – Appoint Engineering Firm and Set Fee

Motion by Councilman Lundstrom, seconded by Councilwoman Biasotti that the Town Board of the Town of New Windsor adopt the following:

WHEREAS, the Town of New Windsor requires certain engineering work to be performed, namely:

General Town Engineering Services as outlined in a proposal from McGoey, Hauser and Edsall Consulting Engineers, P.C., dated August 25, 2011;

Planning Board Engineering Services as outlined in a proposal from McGoey, Hauser and Edsall Consulting Engineers, P.C. dated August 25, 2011;

BE IT RESOLVED, that the engineering firm of **McGoey, Hauser, and Edsall Consulting Engineers, P.C.**, 33 Airport Center Drive, Suite 202, New Windsor, NY be retained as Engineers for the Town for the year 2012 and to be compensated according to the proposals dated August 25, 2011, and the attached standard fee schedule submitted by said Consulting Engineers.

Roll Call: All Ayes

Motion Carried: 5-0

#5 On Agenda: Motion – Authorize Execution of 2012 Drug & Alcohol Testing Agreement – OMNI Medical Care

Motion by Councilwoman Mullarkey, seconded by Councilwoman Weyant that the Town Board of the Town of New Windsor authorize the Supervisor to execute 2012 Drug and Alcohol Testing Agreement with OMNI Medical Care, 1400 Route 300, Newburgh, New York.

Roll Call: All Ayes

Motion Carried: 5-0

#6 On Agenda: Receive and File Decision and Order – Berchielli et al V. Town of New Windsor, et al

Hearing no objection, the Town Board of the Town of New Windsor receive and file Decision and Order in the matter of Matthew Berchielli, et al v. Town of New Windsor, et al regarding the Beaver Dam Lake Water Corp.

#7 On Agenda: Receive and File Deed – The Grove Booster Pump Station

Hearing no objection, the Town Board of the Town of New Windsor receive and file Deed from SCC-Canyon, II, LLC to Town of New Windsor dated July 26, 2011 and recorded in the Orange County Clerk's office on the 22nd day of August, 2011 as File #20110077977 for the booster pumping station at The Grove.

#8 On Agenda: Receive and File Notice of Claim – Cornwall Warehousing, Inc., Millpond Equities, Inc. and Millpond Condominium

Hearing no objection, the Town Board of the Town of New Windsor receive and file Notice of Claim in the matter of Cornwall Warehousing, Inc., Millpond Equities, Inc., Millpond Condominium against Town of New Windsor.

#9 On Agenda: Receive and File PILOT Agreement – Continental Farms LLC

Hearing no objection, the Town Board of the Town of New Windsor receive and file Payment in Lieu of Tax Agreement (PILOT) dated October 1, 2011 between Orange County Industrial Development Agency and Continental Farms, LLC.

Roll Call: All Ayes

Motion Carried: 5-0

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#10 On Agenda: Officials’ Reports

The following reports were received, recorded and filed with the Town Clerk:

Building Department	Month of October 2011
Fire Prevention	Month of October 2011
Building Dept	Month of November 2011
Justice Court – Richard W. Thorpe	Month of November 2011
Justice Court – Noreen Calderin	Month of November 2011
Police Department	Month of November 2011
Recreation Department	Month of November 2011
Tax Receiver - Water / Sewer/ Garbage	Month of November 2011
Town Clerk	Month of November 2011

#11 On Agenda: Public Forum

Supervisor Green asked anyone on the Board if they had any comments and then opened the public forum to anyone who wished to speak.

Supervisor Green read a memo he received from one of the town engineers, Richard McGoey, summarizing their efforts in regard to the repair and stabilization of the slope supporting Butternut Drive and the other residences located along Butternut Drive (copy of memo attached to minutes.)

A Butterhill resident asked if anyone could be contacted to put more pressure on the repair effort and the Supervisor said that a FEMA representative is using an office here at Town Hall and it wouldn’t hurt to keep writing to our federal representatives. He went on to say that the very first thing that needs to be done is relocating Moodna Creek back to its original channel, at least two hundred feet from where it currently is and that process would be both lengthy and expensive.

Someone asked the status of the traffic light for the Butterhill entrance on Route 94 and Supervisor Green said that the DOT is going to send a traffic engineer out to look at the situation but he didn’t know if that has been done yet. He said he will call tomorrow to check the status of the light.

Leo Braun asked about Route 9W near Moodna Creek and the Supervisor said that the pipeline has been replaced there.

Barney Bedetti asked about the length of time on the PILOT Agreement with Continental Farms and was told it was ten years. Mr. Bedetti asked what the revenue difference was before the agreement and after the agreement. Supervisor said that before the agreement we got nothing for the tax exempt land, but he would have to sit down and look at the figures, and eventually those properties covered by PILOT Agreements would be taxed fully.

Hearing no one else wishing to speak, Supervisor entertained a motion to close the Public Forum.

Motion by Councilwoman Weyant, seconded by Councilwoman Mullarkey that the Town Board of the Town of New Windsor close the Public Forum portion of the meeting.

Roll Call: All Ayes

Motion Carried: 5-0

#12 On Agenda: Adjourn

Motion by Councilman Lundstrom, seconded by Councilwoman Biasotti that the Town Board of the Town of New Windsor adjourn the Town Board meeting at 7:30 P. M.

Roll Call: All Ayes

Motion Carried: 5-0

Respectfully submitted,

DEBORAH GREEN
TOWN CLERK

/clc